

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

XAIOFEI CHEN

a/k/a “Sophie Chen” and “:\$□ '6”,

Defendant.

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CRIMINAL NO. EP: 24-CR-2635-KC

PRELIMINARY ORDER OF FORFEITURE

Came on to be considered the United States of America’s Motion for Preliminary Order of Forfeiture, pursuant to the provisions of Title 21 U.S.C. §§ 853(n)(1)-(7), and Fed. R. Crim. P. 32.2(b)(2), 32.2(b)(2)(B), and 32.2(c)(1), and this Court being fully and wholly apprised in all its premises, finds that the United States has established by a preponderance of the evidence a nexus between the property described below and the violations of Title 21 U.S.C. §§ 846, 843(a)(5), 843(a)(7), Title 18 U.S.C. §§ 1956(a)(2)(A) and 1956(h) by virtue of Defendant XAIOFEI CHEN’s a/k/a “Sophie Chen” and “:\$□ '6” guilty plea, pursuant to a written Plea Agreement packet (ECF Nos. 34, 35) with the factual basis contained therein, and that the Defendant has an interest in said property. As such, said Motion is meritorious, and hereby is in all things GRANTED.

IT IS THEREFORE ORDERED that all right, title, and interest of the Defendant in certain property, namely:

1. Apple iPhone 15 Pro, which bears the IMEI: 358301855756151;
2. Any and all property, real or personal involved in or used in the commission of the criminal offense; and
3. Any and all accessories involved in or used in the commission of the criminal offenses,

hereinafter referred to as the Subject Property be, and hereby is FORFEITED to the United States of America; and

IT IS FURTHER ORDERED that upon entry of the Preliminary Order of Forfeiture, the United States through its lawfully designated agents and agencies, including Homeland Security Investigations and/or United States Customs and Border Protection Fines, Penalties and Forfeitures Office and/or its designated agent, shall seize, take custody, control, and possession of the Subject Property whether held by the defendant or a third party; and

IT IS FURTHER ORDERED that the United States shall cause publication for at least 30 consecutive days on an official government internet website (www.forfeiture.gov) of the notice of the Preliminary Order of Forfeiture and of its intent to dispose of the Subject Property in such manner as the United States directs. The United States must send notice to any person or entity who reasonably appears to be a potential petitioner withstanding to contest the forfeiture in the ancillary proceeding; and

IT IS FURTHER ORDERED that the United States shall send Direct Notice of the Preliminary Order of Forfeiture, Appendix A, which is attached to the United States of America's Motion for Preliminary Order of Forfeiture, and incorporated herein to those known to the United States to have an interest in the Subject Property; and

IT IS FURTHER ORDERED that in the event a third-party petition is filed as to the Subject Property the United States shall commence discovery proceedings, including depositions, interrogatories, requests for production of documents, and the issuance of subpoenas pursuant to Fed. R. Civ. P. 45, to resolve any third-party issues; and

IT IS FURTHER ORDERED that at the time of the sentencing of the Defendant the

forfeiture of the Subject Property shall be included in his Judgment in a Criminal Case.

IT IS SO ORDERED.

SIGNED this 13th day of May, 2025.


KATHLEEN CARDONE
UNITED STATES DISTRICT JUDGE